

GOLDSTEIN ISAACSON, PC

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**UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF NEW YORK**

Lakeland Bank, a New Jersey Charter State Bank, with its principal place of business at 250 Oak Ridge Road, Oak Ridge, New Jersey 07438,	:	Civil Action No. 07-CIV-6823
Plaintiff,	:	MOTION TO CONFIRM SALE OF VESSEL PURSUANT TO RULE E(9)
-vs-	:	_____
TAYLOR BABY <u>in rem</u> ,	:	
EDWIN RYBACKI, <u>in personam</u> ,	:	
RITA RYBACKI, <u>in personam</u> , and	:	
MARC RYBACKI, <u>in personam</u>	:	
Defendants.	:	

Plaintiff, Lakeland Bank, a New Jersey Charter State Bank, by its attorney, Andrew J. Goldstein, Esq., moves before this Court for an Order confirming the sale by the United States Marshal for this District of defendant vessel, Taylor Baby, bearing Official No. 1123356, her engines, boilers, machinery, tackle, apparel, furniture and equipment to Lakeland Bank, a New Jersey Charter State Bank, and respectfully states as follows:

1. That on March 13, 2008, this Court entered an Order herein that the defendant vessel, Taylor Baby, be sold at 12:00 o'clock noon on April 4, 2008, after giving public notice by publication.
2. That pursuant to the Order of March 13, 2008, public notice of the sale was published in

the Times Herald Record, a newspaper of general circulation, on seven (7) separate occasions.

3. That on April 4, 2008, a public amended notice of sale was published in the Times Herald Record, a newspaper of general circulation, on one (1) occasion.

4. That the sale of the defendant vessel, Taylor Baby, was duly and regularly conducted by a Deputy United States Marshal, at 12:00 o'clock noon, at Storm King Marina, 2899 Route 9W, New Windsor, New York, as advertised and as provided in said Order.

5. That I attended the sale, and observed that there were four (4) bidders including the plaintiff, Lakeland Bank, which submitted a bid in the amount of One Hundred Twenty Thousand Dollars (\$120,000.00). No deposit or payment was necessary by reason of the judgment of Three Hundred Four Thousand Eight Hundred Eight Dollars and Twenty One cents (\$304,808.21), obtained by the plaintiff against the defendant vessel.

6. That the bidder is a citizen of the United States.

7. Wherefore the plaintiff, Lakeland Bank, moves for an Order Confirming the sale by the United States Marshal for the Southern District of New York of the defendant vessel, Taylor Baby, bearing Official No. 1123356, its bunkers, engines, tackle, apparel, furniture, equipment, and all other necessaries thereunto appertaining and belonging to the defendant for One Hundred Twenty Thousand Dollars (\$120,000.00) to the plaintiff, Lakeland Bank, free and clear of all liens and encumbrances.

GOLDSTEIN ISAACSON, PC

Dated: _____

/s/ *Andrew J. Goldstein*
ANDREW J. GOLDSTEIN, ESQ.